

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
November 18, 2019

The Lyndon City Council met in regular session on Monday, November 18, 2019, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Doug Harty, Kevin Heit, Darin Schmitt, and Katie Shepard (7:22) present.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Scott Culley, Public Works; and David Forkenbrock, Patrolman.

Others Present: Daniel Davis, Osage Herald Chronicle; Wes Weishaar, BG Consultants; George Stutzman; Rachel Stutzman; Ed Beatty; Bret Lewis; Lynn Atchison; Ben Thompson; and Gene Hirt.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Schmitt made the motion to approve the regular meeting minutes of November 4, 2019 as amended. Patterson seconded; motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Harty made the motion to approve the bills as set forth. Schmitt seconded; motion carried.

4. PUBLIC COMMENTS: Gene Hirt spoke about the current street and sidewalk project and voiced his concerns in regards to the project.

5. CORRESPONDENCE TO COUNCIL:

- Copy of certified election results from County Clerk Rhonda Beets.
- November 2019 edition of the Kansas Government Journal.

6. UNFINISHED BUSINESS:

- a) SEWER PROJECT UPDATE - BG CONSULTANTS:

Wastewater Treatment Improvements: Substantially Complete.

- Punch List Completion (Contractor update):
 - Gas detection sensors delivered 1st week of November. Installed last week, 11/14.
 - Touch-up paint for all equipment is on order from suppliers.
 - Emergency lights may have faulty internal wiring. Electrician has received new fixture to test and verify. Replacement of remaining fixtures will follow.

- Lagoon erosion has been addressed; area reseeded.
- Silted lagoon rip rap has been removed and replaced with clean rip rap.
- General touch-up and cleanup items to follow at headworks.

Recommended Action items for Council:

- Sign KDHE Construction Completion Form for Mainline.
- Sign KDHE Construction Completion Form for Taps.

Mayor Morrison asked if the contractor does not finish in the time being requested what options does the city have. Mr. Weishaar stated the contract holds 5% in retainage which is approximately \$50,000 at this time and will not be paid out until the project has been satisfactorily completed or a claim can be filed against their performance bond. He stated he does not foresee any issues completing this final project by the end date noted on the extension request by CDBG of February 29, 2020 if not before. Once all of the items have been corrected, a final walkthrough will be done at the headworks building and lagoon site.

Mayor Morrison asked if the Janssen property had been taken care of and Mr. Weishaar stated he went to the site took pictures and sent out an email to the contractor of the specific items that need to be corrected. Mayor Morrison recommended Mr. Weishaar contact Mr. Janssen.

- b) KDHE CERTIFICATE OF COMPLETION – SERVICE TAP IMPROVEMENTS: Harty made the motion to approve and authorize the Mayor to sign the completion certificate for Service Tap Improvements project (Pipe Services). Patterson seconded; motion carried.
- c) KDHE CERTIFICATION OF COMPLETION – MAINLINE IMPROVEMENTS: Harty made the motion to approve and authorize the Mayor to sign the completion certificate for the Mainline Improvements project (Reed Dozing). Schmitt seconded; motion carried.
- d) CDBG PROJECT EXTENSIONS #1, #2, #3: The City Clerk stated extensions #1 and #2 were discussed and the city was made aware of them, however, all on them are included on the agenda to make sure there is a record of approval for all three extensions requests for CDBG. Patterson made the motion to approve CDBG extension requests #1, #2 and #3. Shepard seconded; motion carried.

(Extension #1 signed February 18, 2019 requesting 6-month extension with project end date of 7/31/2019; Extension #2 signed August 7, 2019 requesting 3-month extension with project end date of 11/30/2019; and Extension #3 signed 11/18/19 requesting 3-month extension with project end date of 2/29/20.)

- e) SIDEWALK BRIDGE AGREEMENT: City Attorney Walsh discussed and provided a copy of the agreement outlining removal of the sidewalk bridge near 503 W 8th. Attorney Walsh stated he provided the draft agreement to Mr. Beatty and Mayor Morrison who are in agreeance, however, needs approval from the Council that authorizes the Mayor to sign on behalf of the city. Schmitt made the motion to

authorize the Mayor to sign the agreement. Heit seconded; motion carried. Mayor Morrison and Mr. Beatty signed the agreement, the City Clerk attested the signatures, and Mr. Beatty was provided one of the original copies. Copy of the agreement will be provided to the Maintenance Supervisor outlining the scope of work in the agreement.

- f) FINANCIAL UPDATES: The City Clerk provided a copy of the trial fund balance and percentage of the budget in each fund expended as of October 31, 2019 which was briefly discussed.
- g) EQUIPMENT SHOP HEATER QUOTES: The Maintenance Supervisor provided Council with the warranties from the companies he obtained quotes from at the previous meeting in regards to replacement of the equipment shop heater. He has also obtained a quote from Theel Heating Plumbing, Heating and Cooling in Osage City which was the lowest submitted quote of \$2,500. After much discussion and review of the previous quotes, Heit made the motion to approve the purchase of the shop heater from Theel in the amount of \$2,500 to be paid 50% from the General Fund Capital Outlay Fund and 50% from the Equipment Reserve Fund. Harty seconded; motion carried.

7. NEW BUSINESS:

- a) GIS QUOTE FROM KRWA TO MAP NEW FORCE MAIN: The Maintenance Supervisor had contacted Mark Thomas with KRWA in regards to obtaining GIS mapping the new force main put in during the sewer project and received and estimated cost in the amount of \$1,037.00. After much discussion, Council tabled the matter to see if the information mapped through the sewer project and can be added to the current GIS map of sewer infrastructure. It was noted that during the project a tracer wire was put on the main and is able to be located easily by Maintenance if or when needed.
- b) KRWA BACKFLOW PREVENTION TESTER COURSE: Council received information on a course provided by KRWA for certification in Backflow Prevention Testing. The cost of the course is \$225; however, it would cost approximately the same amount to hire someone to do that testing which is required by the State on an annual basis. The Maintenance Supervisor stated it would benefit the city to have one of the Maintenance personnel become certified and that Brandon Smith would be attending to obtain that certification if approved. It was consensus of the Council to proceed with registering Brandon Smith for the course. The training is December 3 – December 6 in Emporia.
- c) QUALITY BUILT CONCRETE PATCH BETWEEN 7TH AND 8TH: The Council received a copy of the quote from Quality Built Construction to remove the asphalt and repair a 30 x 50 section of Ash Street with concrete between 7th and 8th in the amount of \$17,300.00. The Council was provided a breakdown of the remaining projected costs for the street project as well as projected funds left available for repairs. Schmitt made the motion to approve the quote from Quality Built Construction for the repair of Ash Street in the amount of \$17,300. Heit seconded; motion carried.

8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer Activity report from November 3 through November 17, 2019.
- b) PUBLIC WORKS: Council received a copy of the Maintenance Activity report from November 4 to November 18, 2019.

Mayor Morrison asked the Maintenance Supervisor if he had spoken to Glen Tyson at County Road and Bridge regarding the culvert at 6th and Adams where Ms. Bayless has been wanting to put in a rather large drainage tube that will need to connect to that particular culvert. The Maintenance Supervisor stated Mr. Tyson had stated he would go and look at the culvert and get back in touch with him.

- c) CITY CLERK: Provided Council a copy of the Winter Festival schedule which is Saturday, December 7th.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson inquired about the pasture agreement to rent out the lagoon and the City Attorney suggested putting together of list of requirements.

Harty stated he would not be able to attend the December 2 meeting.

- 10. EXECUTIVE SESSION: At 8:55 p.m. Patterson made the motion to recess to executive session for 20 minutes for non-elected personnel. Shepard seconded; motion carried. At 9:15 p.m. Council reconvened with Mayor Morrison stating the action taken is to obtain CPOST reports on applicants for the Chief of Police position.
- 11. At 9:17 p.m. Harty made the motion to recess to executive session for 5 minutes for Attorney-Client Privilege with the City Attorney. Shepard seconded; motion carried. At 9:22 p.m. Council reconvened with no binding action taken.
- 12. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, December 2, 2019 at 7:00 p.m. for regular meeting. Patterson seconded; motion carried.

Respectfully submitted,


Julie Stutzman, CMC

City Clerk

Approved by the governing body on December 9, 2019

Attest:


Julie Stutzman, CMC

City Clerk

